THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.22827 of 2006

Dated: 04-12-2006

Between:

Mir Shah Math Ali Khan.

..... PETITIONER

AND

The Deputy Director, Survey and Land Record,
Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.22827 of 2006

ORDER:

The petitioner filed the writ petition claiming the following relief.

> For the reasons stated in the accompanying affidavit the petitioner herein prays that this Honourable Court may be pleased to issue order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not demarcating the lands in Sy.Nos.84 to 93 to an extent of
> Ac.763-00 gts., situated at Dawoodguda, H/o Phoolmamidi village, Kandukur Mandal, R.R. District relying on the sworn statement of the then Patwari of Phoolmamidi village Kandukur Mandal,
> R.R. District in C.C.No.324/1/75 in RDO's proceedings No.329;2866/1/75 dt.23-6-1977 wherein it is clearly stated survey numbers and extent as per the revenue records of the village, and pass such other order or orders as this Honourable Court may deem fit and proper in the circumstances of the case.

The learned Assistant Government Pleader for Revenue (General-T), after getting instructions, submits that the said land is a gutt (undivided) without proper subdivisions and therefore, it is not possible to survey and demarcate the same, which includes the land admeasuring Acs.237.06 guntas, which is claimed by the petitioner. If that be so, nothing prevents the Mandal Revenue Officer, Kandukur Mandal, and the Assistant Director for Survey and Land Records, Hyderabd, to consider the application of the petitioner and pass appropriate orders. If the petitioner has not already made application to these officials, he may do so and in this writ petition no relief can be granted.

The writ petition, with the above observations, is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

04th December, 2006
ghn